

LAWLER, METZGER, MILKMAN & KEENEY, LLC

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

RUTH MILKMAN
PHONE (202) 777-7726

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

April 18, 2007

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: WT Docket Nos. 96-86, 06-150 and 06-169
Ex Parte Notice

Dear Ms. Dortch:

On April 18, 2007, Linda Kinney for EchoStar Satellite, L.L.C., Richard Whitt for Google Inc., David Horne (by telephone) for Intel Corporation, and Michael Gottdenker and the undersigned for Access Spectrum, L.L.C., all on behalf of The Coalition for 4G in America, which also includes the DIRECTV Group, Inc., Skype, Inc., and Yahoo! Inc., met with Commissioner Tate and Aaron Goldberger. EchoStar, Google, Intel, and Access Spectrum urged the Commission to take action in the above-referenced dockets consistent with the five principles described in the attached documents, which were discussed during the course of the meeting.

Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record in the above-referenced proceedings.

Sincerely,

/s/ Ruth Milkman
Ruth Milkman

Attachments

cc: Commissioner Tate
Aaron Goldberger

**The Coalition for 4G in America –
Optimizing the 700 MHz Band for Next Generation Technologies and Networks**

The undersigned companies urge the Commission to take action in WT Docket Nos. 96-86, 06-169, and 06-150 consistent with the principles described below:

Primary principle:

(1) The Congressionally-mandated DTV transition must remain on track. Any modifications to the FCC's rules (as outlined below) must not violate the Digital Television Transition and Public Safety Act of 2005 ("DTV Act"), which establishes February 17, 2009 as the hard date for the DTV transition and January 28, 2008 as the deadline for the auction of the 60 MHz of commercial spectrum in the 700 MHz band.

Secondary principles (which are contingent on not violating the primary principle):

(1) The Broadband Optimization Plan ("BOP") should be adopted promptly. Prompt action by the Commission would ensure compliance with the statutory deadlines in the DTV Act, and would allow both public safety and commercial entities to begin to plan now for systems to be deployed based on BOP upon completion of the DTV transition. Adoption of BOP also would enable more flexible choice of broadband technologies in the spectrum allocated to public safety. BOP should be adopted immediately.

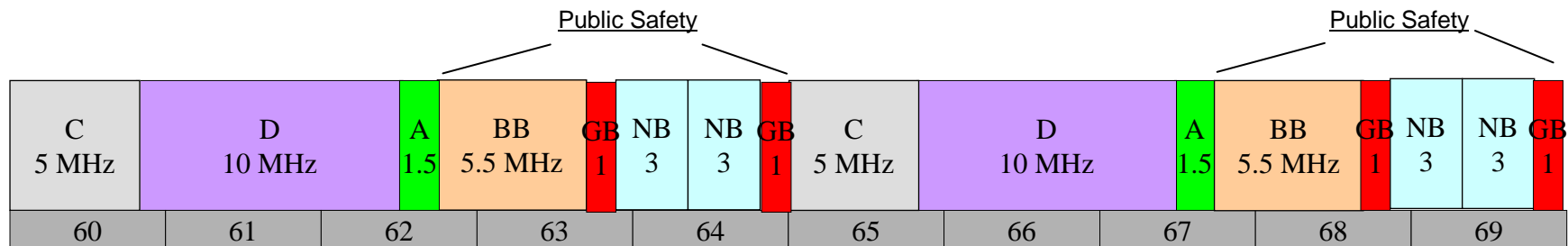
(2) The 15 MHz paired commercial allocation in the Upper 700 MHz Band should be re-configured into a 16.5 MHz paired allocation. This should be partitioned into one 11 MHz pair and one 5.5 MHz pair to preserve similarity to the plan of record. The use of 5.5 MHz "building blocks" gives an immediate 10% increase in bandwidth compared to 5 MHz blocks. This allows more capable next generation broadband network performance, going into the auction. The 11 MHz and 5.5 MHz pairs allow greater flexibility in technology implementation and business plans. Locating the paired 5.5 MHz commercial block directly adjacent to public safety's paired 5.5 MHz broadband block would better enable public-private partnerships and lead to potential cost savings for public safety.

(3) Package bidding should be used in the Upper and Lower 700 MHz band. In the Upper 700 MHz band, if package bidding is used, then the paired 11 MHz block should be licensed in REAGs and the paired 5.5 MHz block should be licensed in MEAs. The use of package bidding and the proposed licensing scheme facilitates more efficient geographic and bandwidth aggregation, such that bidders could easily sum to REAGs, or nationwide licenses. In addition, the use of package bidding and this licensing scheme would promote new entry by permitting flexible business plans and preventing a company from blocking nationwide entry simply by acquiring one regional license.

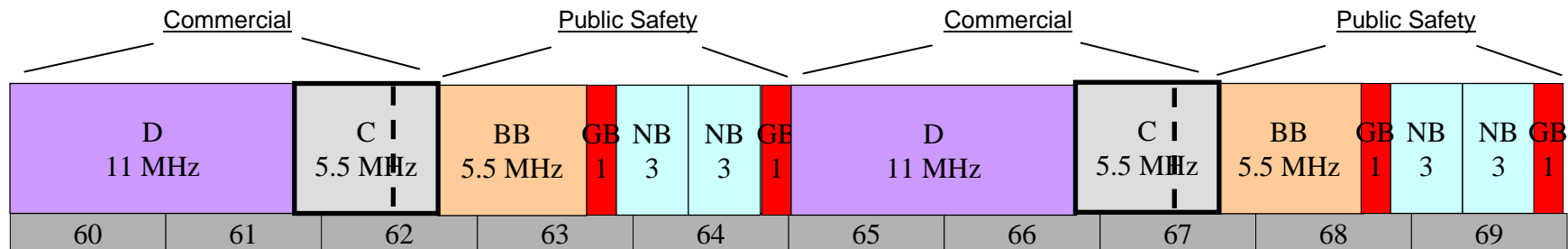
(4) Two-sided auctions should be utilized. The use of two-sided auctions would enable the aggregation of the upper 700 MHz commercial blocks in a single, more efficient auction.

Coalition for 4G in America

- Re-configuring the public safety allocation – The Broadband Optimization Plan



- Re-configuring the commercial allocation – The “4G in America” Plan



- Geographic areas

D Block (11 MHz)	12 REAGs (6 CONUS Regions)
C Block (5.5 MHz)	52 MEAs